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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,518	10/17/2001	Jean-Marc Wanner	NY-GRYN 204-US	7690
24972	7590	03/31/2004	EXAMINER	
FULBRIGHT & JAWORSKI, LLP 666 FIFTH AVE NEW YORK, NY 10103-3198			PHAM, TUAN	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,518

Applicant(s)

WANNER, JEAN-MARC

Examiner

TUAN A PHAM

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ananikian et al. (U.S. Patent No. 6,266,403, hereinafter, "Ananikian") in view of Jensen (U.S. Patent No. 6,373,934).

Regarding claims 1 and 10, Ananikian teaches a telephone (see figure 1, telephone 2) comprising:

a memorization device for memorizing data related to incoming calls on a telephone line (see figure 1, memory 6, col.2, ln.46-50, col.3, ln.50-53); and

a detector (see figure 1, detector 10, col.3, ln.30-35) for outputting a line state signal of the telephone line to the memorization device (see col.2, ln.46-50, col.3, ln.65-67, col.4, ln.58-67); and wherein the memorization device is operable to memorize the data as a function of the line state of the telephone line (see col.3, ln.50-54), thereby providing reliable data even when calls originate or terminate from or on another telephone on the telephone line (see col.4, ln.19-30).

It should be noticed that Ananikian fails to clearly teach a memorization device for memorizing data related to outgoing calls on a telephone line. However, Jensen

teaches such features (see col.2, ln.53-55, col.3, ln.16-45) for a purpose of monitoring and recording all the call are made or receive.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of memorization device for memorizing data related to outgoing calls on a telephone line, as taught by Jensen, into view of Ananikian in order to monitor all the incoming and outgoing calls to keep track of billing or expense deductions.

Regarding claim 2, Ananikian further teaches the telephone wherein the memorization or indication device comprises an unanswered call indicator for indicating when an incoming call is not answered as determined from the line state signal (see col.4, ln.19-39).

Regarding claim 3, Jensen further teaches the telephone wherein the line state of the telephone is either a busy state or a free state (i.e., off-hook or on-hook); and wherein the memorization device is operable to memorize communication times of incoming calls by determining time elapsed between two line state changes for each incoming call (see col.4, ln.3-25).

Regarding claim 4, Ananikian further teaches the telephone wherein the memorization device is operable to memorize received numbers of the incoming calls (see col.2, ln.46-50, col.3, ln.50-54).

Regarding claim 5, Jensen further teaches the telephone wherein the line state of the telephone is either a busy state or a free state (i.e., off-hook or on-hook); and wherein the memorization device is operable to memorize communication times of

outgoing calls by determining time elapsed between two line state changes for each incoming call (see col.4, ln.3-25).

Regarding claim 6, Ananikian further teaches the telephone wherein the memorization device is operable to memorize called numbers (see col.3, ln.50-54).

Regarding claim 7, Ananikian further teaches the telephone further comprising a called number detector for detecting numbers dialed on the telephone line, thereby memorizing call numbers dialed from other telephones on the telephone line (see col.4, ln.58-67).

Regarding claim 8, Jensen further teaches the telephone wherein the called number tone detector is a DTMF decoder (see figure 1, DTMF decoder 20).

Regarding claim 9, Jensen further teaches the telephone further comprising: a processor having a memory; and a device for receiving programming signals over the telephone line, the programming signal being downloaded to the memory of the processor; and wherein the processor is operable to restore the data as a function of the line state of the telephone line (see figure 1, processor 10, memory 80, col.7, ln.1-5, ln.35-55).

Regarding claim 11, Ananikian teaches a multiple telephone set (see figure 1, telephone 2, telephone 3, telephone 4), comprising:

at least one telephone comprising a line detector for outputting a line state signal of a telephone line (see figure 1, telephone 2, detector 10, col.3, ln.30-35; and a memorization or indication device for memorizing or indicating data related to incoming calls on the telephone line (see figure 1, memory 6, col.2, ln.46-50, col.3, ln.50-53); at

least one telephone without the memorization or indication device (see figure 1, telephone 3); and wherein the memorization or indication device is operable to memorize or indicate the data as a function of the line state of the telephone line (see col.3, ln.50-54), thereby providing reliable data even when calls originate or terminate from or on another telephone on the telephone line (see col.4, ln.19-30).

It should be noticed that Ananikian fails to clearly teach a memorization device for memorizing data related to outgoing calls on a telephone line. However, Jensen teaches such features (see col.2, ln.53-55, col.3, ln.16-45) for a purpose of monitoring and recording all the call are made or receive.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of memorization device for memorizing data related to outgoing calls on a telephone line, as taught by Jensen, into view of Ananikian in order to monitor all the incoming and outgoing calls to keep track of billing or expense deductions.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Chang et al. (U.S. Patent No. 5,838,777), Fallon et al. (U.S. Patent No. 6,134,308), Gizara et al. (U.S. Patent No. 6,075,845), and Beckman (U.S. Patent No. 5,146,490) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the system

Art Unit: 2643

and method for performing telephone line in use detection and caller ID to detect dialing of parallel communication device.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (703) 305-4708 and

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Application/Control Number: 09/981,518

Page 7

Art Unit: 2643


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Art Unit 2643

March 30, 2004

Examiner

Tuan Pham


CURTIS KUNTZ
PRIMARY PATENT EXAMINER
TECHNOLOGY CENTER 2600